

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
222 WEST SEVENTH AVENUE, #13  
ANCHORAGE, ALASKA 99513-7599

INTERIM CONVEYANCE

WHEREAS

Akhiok-Kaguyak, Incorporated  
Successor in Interest to Natives of Akhiok, Inc.

is entitled to a conveyance pursuant to Secs. 14(a) and 22(j) of the  
Alaska Native Claims Settlement Act of December 18, 1971, as amended,  
43 U.S.C. 1601, 1613(a), 1621(j), of the surface estate in the  
following-described lands:

Seward Meridian, Alaska

T. 35 S., R. 29 W.,  
Sec. 26, fractional, excluding U.S Survey No. 2072;  
Secs. 27 and 28, fractional;  
Sec. 29.

Containing approximately 1,395 acres.

T. 35 S., R. 31 W.,  
Secs. 26 through 30, fractional.

Containing approximately 2,364 acres.

T. 38 S., R. 31 W.,  
Sec. 5, fractional, those lands on Kodiak Island;  
Sec. 6, fractional, excluding Tract 37;  
Sec. 7, fractional, excluding Tract 37 and Egg Island;  
Secs. 8, 18, and 19, fractional.

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Containing approximately 903.48 acres.

T. 38 S., R. 32 W.,  
Sec. 13, fractional;  
Secs. 23 through 27, fractional;  
Sec. 34, fractional.

Containing approximately 1,560 acres.

Aggregating approximately 6,222.48 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, if any, up to the ordinary high water mark, beneath rivers or streams 3 chains wide (198 feet) and wider and lakes 50 acres and larger, which are meanderable according to the 1973 Bureau of Land Management Manual of Surveying Instructions, as modified by Departmental regulation 43 CFR 2650.5-1, and navigable waters, if any, of lesser size.

Also excluded are lands covered by tidal waters up to the line of mean high tide.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface in the lands above described; TO HAVE AND TO HOLD the said lands with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(f); and

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2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easements, referenced by easement identification number (EIN) on the easement maps, copies of which can be found in the Bureau of Land Management's public land records, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles, and small all-terrain vehicles (ATVs) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

One Acre site - The uses allowed for a site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles (ATVs), snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

Easements reserved:

- a. (EIN 40 C5, C6, D9) An easement twenty-five (25) feet in width for a proposed access trail from site easement EIN 40a C5, C6, D9, on the south shore of Olga Bay in Sec. 27, T. 35 S., R. 31 W., Seward Meridian, Alaska, southerly to public lands in Sec. 34, T. 35 S., R. 31 W., Seward Meridian, Alaska. The uses allowed are those listed for a twenty-five (25) foot wide trail easement.
- b. (EIN 40a C5, C6, D9) A one (1) acre site easement upland of the mean high tide line on the south shore of Olga Bay in Sec. 27, T. 35 S., R. 31 W., Seward Meridian, Alaska. The uses allowed are those listed above for a one (1) acre site easement.

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- c. (EIN 70 M, C5) A one (1) acre site easement, located in Sec. 27, T. 35 S., R. 29 W., Seward Meridian, Alaska, upland of the mean high tide line, on the north shore of Deadman Bay, at the east end of trail easement EIN 70b M, C5 and the south end of trail easement EIN 70a M, C5. The uses allowed are those listed above for a one (1) acre site easement.
- d. (EIN 70a M, C5) An easement twenty-five (25) feet in width for a proposed access trail from site easement EIN 70 M, C5, on the north shore of Deadman Bay, in Sec. 27, T. 35 S., R. 29 W., Seward Meridian, Alaska, northerly through Sec. 22 into public lands in Sec. 15. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- e. (EIN 70b M, C5) An easement twenty-five (25) feet in width for a proposed access trail from site easement EIN 70 M, C5, in Sec. 27, T. 35 S., R. 29 E., Seward Meridian, Alaska, westerly to emergency use site easement EIN 70c C5, C6, D1 in Sec. 28, T. 35 S., R. 29 W., Seward Meridian, Alaska. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- f. (EIN 70c C5, C6, D1) An emergency use site easement upland of the ordinary high water mark in Sec. 28, T. 35 S., R. 29 W., Seward Meridian, Alaska, on the southeast shore of Horse Marine Lake at the west end of trail easement EIN 70b, M, C5. The site is one (1) acre in size with an additional twenty-five (25) foot wide easement on the bed of the lake along the entire waterfront of the site. The uses allowed are those listed above for a one (1) acre site with the additional restriction that camping only be allowed during emergencies.
- g. (EIN 100 J) A combination of miscellaneous easements for an existing U.S Coast Guard navigation aid known as Cape Alitak Light located in Sec. 34, protracted T. 38 S., R. 32 W., Seward Meridian, at latitude 56°50'36" N., and longitude 154°18'18" W. The easements include a circular site, having a radius of 225 feet, whose center is the navigation aid, and the right of safe ingress and egress to and from the site. In addition, an easement is reserved for the airspace, through an arc having a

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225-foot radius, whose center is the navigation aid, from 0° true north, clockwise, to 360° true north. The uses allowed include those uses associated with the construction, reconstruction, operation, and maintenance of the navigational aid, the right to clear and keep the lands clear from any obstruction infringing upon or penetrating the airspace, the right to remove buildings or obstructions of any type which may infringe upon or extend into the airspace, and the right to prohibit use on and remove from the lands beneath the airspace any object which would create interference for users of the navigation aid. Use is limited to the United States Government and its authorized agents, contractors, and assigns.

- h. (EIN 101 J) An easement twenty-five (25) feet in width for an existing access trail from EIN 102 J, in Sec. 27, protracted T. 38 S., R. 32 W., Seward Meridian, Alaska, southwesterly approximately 2,700 feet to the navigation aid. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. Use is limited to the United States Government and its authorized agents, contractors, and assigns.
- i. (EIN 102 J) A one (1) acres site easement upland of the mean high tide line in Sec. 27, protracted T. 38 S., R. 32 W., Seward Meridian, Alaska, on the south shore of Lazy Bay. The uses allowed are those listed above for a one (1) acre site. Use is limited to the United States Government and its authorized agents, contractors, and assigns.
- j. (EIN 103 J) An easement twenty-five (25) feet in width for an existing access trail from EIN 104 J, in Sec. 34, protracted T. 38 S., R. 32 W., Seward Meridian, Alaska, southerly approximately 600 feet to the navigation aid. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. Use is limited to the United States Government and its authorized agents, contractors, and assigns.
- k. (EIN 104 J) A one (1) acre site easement for helicopter landings in Sec. 34, protracted T. 38 S., R. 32 W., Seward

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Meridian, Alaska, 600 feet north of the Cape Alitak Light and adjacent to trail EIN 103 J.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1616(b)(2), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law;
2. The terms and conditions of the agreement dated May 23, 1995, between Akhiok-Kaguyak, Inc. and the Secretary of the Interior, entered into pursuant to the Exxon Valdez Oil Spill Trustee Council Final Restoration Plan approved on November 2, 1994. The agreement of May 23, 1995, was recorded on May 26, 1995, in the Kodiak Recording District, at Book 137, on Pages 022 through 098;
3. Requirements of Sec. 22(g) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1621(g), that (a) the above-described lands which were on December 18, 1971, within the boundaries of the Kodiak National Wildlife Refuge, Public Land Order No. 1634, remain subject to the laws and regulations governing use and development of such refuge, and that (b) subject to the waiver contained in Section 8 of the above described agreement, the right of first refusal, if said land or any part thereof is ever sold by the above-named corporation, is reserved to the United States; and

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4. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(c), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this TENTH day of MARCH, 1997, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Terry R. Hassett

Terry R. Hassett  
Chief, Branch of 962 Adjudication

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